F. No. 14/2/07 Pahli Birthday (1) (5)
Presented on 20/2/07
dated

CF 1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

(5)

WRIT PETITION NO. 1262/2007

PETITIONER :- Anurag Kumar Verma, S/o Late shri R.C. Verma, aged about 47 years, Occupation – Lecturer R/o C-17, Kranti Nagar, Bilaspur [C.C.].

VERSUS

RESPONDENTS :- 1] State of Chhattisgarh through the Secretary, School Education Department/ Mantralaya, D.K.S. Bhavan, Raipur [C.G.]

2] Joint Director, Treasury and Accounts, Bilaspur Division, Bilaspur [C.G.].

RECEIVED COPY 20/2/07 CLERK to A. G. BILASPUR

3] District Education Officer, D.E.O. Bilaspur [C.G.].

4] Principal, Government Higher Secondary School, Tarbahar, Bilaspur [C.G.].

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(45)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) No. 1262 of 2007.

Petitioner : Anurag Kumar Verma

versus

Respondents : State of C.G. & Others

Present : Shri Rahul Birtharey, Advocate for the petitioner
Shri Satish Gupta, Deputy Government Advocate for the respondents/State.

ORDER
(Passed on 2nd of March, 2007)

1. Learned counsel for the petitioner submits that the recovery for a sum of Rs. 1,07,810/- has been directed to be made vide order dated 05.01.2007 (Annexure P/1) without assigning any reason.

2. Learned counsel appearing for the State agrees with the averment made by counsel for the petitioner and submits that recovery of amount, if any, shall be made after giving due opportunity of hearing to the petitioner to put forward his case.

3. In view of that, the order dated 05.01.2007 is set aside on the ground that same has been passed without affording any opportunity of hearing to the petitioner.

4. However, the liberty is reserved to the respondent State to take any step for recovery of the excess amount, if any, after following due process of law, after giving proper opportunity of

hearing to the petitioner so that the petitioner can put forward his case before any consequential order which meets with civil consequences is passed. This petition is accordingly allowed to that extent.

5. Consequently, M(W)P 807/2007, application for grant of ad-interim relief/stay stands disposed of.

Sd/-
Satish K. Agnihotri
Judge

Amit